



# RULE-MAKING ORDER

**CR-103 (June 2004)**  
(Implements RCW 34.05.360)

Agency: Department of Ecology

AO 05-07

☒ Permanent Rule

☐ Emergency Rule

**Effective date of rule:**

**Permanent Rules**

☒ 31 days after filing.

☐ Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Effective date of rule:**

**Emergency Rules**

☐ Immediately upon filing.

☐ Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

☐ Yes ☒ No If Yes, explain:

**Purpose:** The purpose is to make the rules easier to use and to harmonize the state rules with the federal standards. Ecology has amended parts of **Ch. 173-415 WAC** by changing sections that deal with applicability, emissions standards, monitoring and reporting (including reports of startup, shutdown, breakdown or upset conditions), and modified some definitions. Some duplicative sections are eliminated. In **Ch. 173-481 WAC**, ecology is amending sections that deal with applicability, definitions, forage and ambient standards, and compliance.

**Citation of existing rules affected by this order:**

Repealed: 6 173-415-040, 045, 050, 051, 070, and 080

Amended: 8 173-415-020, 030, and 060,; 173-481-020, 030, 100, 110, and 150

Suspended: none

**Statutory authority for adoption:** RCW 70.94.395 and 70.94.331

**Other authority :**

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 05-13-112 on June 17, 2005.

Describe any changes other than editing from proposed to adopted version:

All changes made to the proposal are editorial in nature.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted:

8/23/05

NAME (TYPE OR PRINT)

Jay Manning

SIGNATURE

*Jay J. M.*

TITLE

Director, Department of Ecology

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

AUG 23 2005

TIME

WSR

1224  
05-17-169

AM

PM

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

New	<u>1</u>	Amended	<u>8</u>	Repealed	<u>6</u>
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The number of sections adopted in the agency's own initiative:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>1</u>	Amended	<u>8</u>	Repealed	<u>6</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>